

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Jose L. Linares, U.S.D.J.
v. : Crim. No. 08-536-JLL
MARLON CLENISTA : CONTINUANCE ORDER

This matter having been opened to the Court by defendant Marlon Clenista (Patrick McMahon, Assistant Federal Public Defender, appearing), and Christopher J. Christie, United States Attorney for the District of New Jersey (Anthony J. Mahajan, Assistant U.S. Attorney, appearing) for an order granting a continuance of the proceedings in the above-captioned matter for sixty days, and the defendant being aware that he has the right to have the matter tried within seventy days of the filing date of the Indictment, pursuant to Title 18 of the United States Code, Section 3161(c), and the defendant having waived such right, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are in progress. The successful completion of such negotiations may render trial of this matter unnecessary.
2. Defendant has consented to the aforementioned continuance.
3. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.

WHEREFORE, it is on this 3rd day of November 2008,

ORDERED that the proceedings in the above-captioned matter are continued from November 4, 2008, through January 4, 2009;

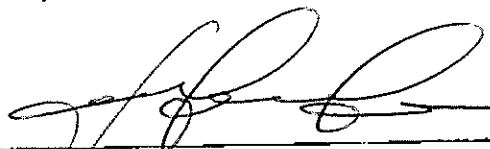
IT IS FURTHER ORDERED that the period between November 4, 2008, through January 4, 2009, shall be excludable in computing time under the Speedy Trial Act of 1974;

IT IS FURTHER ORDERED that if the defendants intend to file motions, their motions shall be filed no later than Nov. 24, 2008 (previously September 29, 2008);

IT IS FURTHER ORDERED that any response by the Government to defendants' motions shall be filed no later than Dec. 8, 2008 (previously October 13, 2008);

IT IS FURTHER ORDERED that oral argument as to any such motions shall be conducted on Dec. 22, 2008 (previously October 27, 2008); and

IT IS FURTHER ORDERED that the trial in this matter will commence on Dec. 29, 2008 (previously November 3, 2008).


HONORABLE JOSE L. LINARES
United States District Judge

Requested and Agreed to by:


Patrick McMahon, AFD

10/15/08


Anthony J. Mahajan, AUSA